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legislative instrument, was prepared by Diane M. Burkhart.

Boissiere (SB 828)

DIGEST

Present law authorizes the conducting of slot machine gaming at eligible horse racing facilities.

Present law defines an "eligible facility" as no more than one facility in St. Landry Parish, Bossier Parish, and Calcasieu Parish at which the Louisiana State Racing Commission has licensed the conduct or at which the commission has approved the future licensing of the conduct of not less than 80 days within a consecutive 20-week period each year of live horse race meetings.

Proposed law includes a facility in Orleans Parish.

Proposed law provides for nondiscrimination policies.

Present law provides that an application may be approved by the board only after the electorate in the parish in which the eligible facility is located or, is proposed to be located, has approved the conduct of slot machine gaming at such facility at an election.

Proposed law retains this provision of present law and further provides that an application for an eligible facility in Orleans Parish may be approved by the board only after the Amended and Renegotiated Casino Operating Contract entered into pursuant to R.S. 27:201 et seq., on October 30, 1998, as amended, effective October 19, 1999, March 29, 2001, and March 31, 2001, has been further amended to provide that the inclusion, licensing, or operation of an eligible facility in Orleans Parish shall not constitute an Exclusivity Violation or prohibited land-based gaming as defined in such contract, as amended, following approval of such amendment by the Joint Legislative Committee on the Budget as required by the provisions of Subsection B of Section 3 of Act No. 1 of the 2001 1st Extraordinary Session of the Legislature.

Proposed law further provides that a license issued by the board to conduct slot machine gaming at an eligible facility in Orleans Parish shall be subject to the following limitations regarding the number of slot machines which may be operated at the eligible facility:

- (1) On or after July 1, 2003, the eligible facility shall be authorized to have a maximum of 300 slot machines at the eligible facility.
- (2) On or after July 1, 2004, the eligible facility shall be authorized to have a maximum of 400 slot machines at the eligible facility.
- (3) On or after July 1, 2005, the eligible facility shall be authorized to have a maximum of 500 slot machines at the eligible facility.
- (4) At any time after July 1, 2005, in the event the gross gaming revenues of the casino gaming operator exceed \$350 million for any preceding 12-month period, the eligible facility shall be authorized to have a maximum of 700 slot machines.

Proposed law provides that if the casino operating contract is terminated and the state of Louisiana does not become a party to another casino operating

contract which contains exclusivity provisions that the eligible facility shall not be subject to a limitation on the number of slot machines which may be placed in the designated gaming area.

Proposed law provides that the board is expressly authorized to approve, execute, and implement an amendment to any of the provisions of the Amended and Renegotiated Casino Operating Contract entered into on October 30, 1998, as previously amended effective October 19, 1999, March 29, 2001, and March 31, 2001, consistent with the provisions of proposed law and to issue or modify any regulatory provisions or approvals related thereto, following approval of such amendment by the Joint Legislative Committee on the Budget as required by the provisions of Subsection B of Section 3 of Act No. 1 of the 2001 First Extraordinary Session. Excepts authority from R.S. 27:25 and 26 or any provisions of the APA.

Present law provides that the state treasurer shall, each fiscal year, credit 5% of the state portion of taxable net slot machine proceeds collected from each licensed eligible facility to the following special funds:

- (1) The Bossier Educational Excellence Fund.
- (2) The St. Landry Parish Excellence Fund.
- (3) The Calcasieu Parish Excellence Fund.

Proposed law specifies that the 5% credited to a fund in each parish is taken from the proceeds derived from the licensed facility in that parish.

Proposed law changes the dedication in Bossier Parish from the Bossier Educational Excellence Fund (BEEF) to the Bossier Parish Truancy Program Fund, to be withdrawn pursuant to appropriation by the legislature and used solely by the district attorney in the Twenty-Sixth Judicial District to support a truancy program and truancy related matters within the Twenty-Sixth Judicial District. Interest earned on investment of fund money is credited to the fund and unexpended and unencumbered money remains in the fund at the end of the fiscal year.

Present law dedicates the money in the St. Landry Parish Excellence Fund for the use of the St. Landry School Board.

Proposed law includes the Louisiana Community and Technical College System as well as the school board in using the money in the fund solely for the construction and operation of a Career and Technology Center in St. Landry Parish to serve secondary and postsecondary students and provide occupational and workforce training. All courses of instruction at the center must be approved by the Board of Supervisors of Community and Technical Colleges. Authorizes appropriation of fund principle.

Proposed law adds the Orleans Parish Excellence Fund as a recipient of 5% of the proceeds from the proposed facility in that parish. The Louisiana Community and Technical College System may use the money solely for the construction and operation of an Allied Health and Nursing Program and campus in the parish to serve secondary and postsecondary students and provide occupational and workforce training. All courses of instruction provided in the program must be approved by the Board of Supervisors of Community and Technical Colleges. Interest earned on investment of fund money is credited to the fund and unexpended and unencumbered money remains in the fund at the end of the fiscal year.

Proposed law includes the distribution of the portion of state taxable net slot machine proceeds to the Bossier Truancy Fund, the St. Landry Parish Excellence Fund, the Calcasieu Parish Excellence Fund, and the Orleans Parish Excellence Fund in the distributions that occur prior to distributions for expenditure pursuant to the powers of the La. Agricultural Finance Authority for boll weevil eradication and other agricultural programs.

Proposed law adds, after all other specified distributions of net taxable proceeds are fulfilled and prior to deposit of the remainder in the state general fund, a distribution, pursuant to annual appropriation, of \$50,000 to the Southern University Tourism and Marketing Program and \$50,000 for the Orleans Parish District Attorney's office.

(Amends R.S. 27:353(4) and 361(C), and 392(B)(2)(b), (3)(a), (b), and (c)(i) and (4) and (6); adds R.S. 27:363(C), 372.1 and 392(B)(3)(d))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill.

1. Requires an applicant to have a good faith plan to recruit, teach, and upgrade minorities in all employment classifications and to provide maximum opportunities for participation by the broadest number of minority-owned businesses.
2. Further requires that all businesses and vendors selected by an eligible facility adhere to nondiscrimination policies and practices and employ minorities consistent with the population of the state.
3. Amends St. Landry Parish Excellence Fund to provide for vocational-technical high school curriculum.

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the engrossed bill.

1. Changes the dedication in Bossier Parish from the Bossier Educational Excellence Fund (BEEF) to the Bossier Parish Truancy Program Fund used by the district attorney of the 24th Judicial District.
2. Changes the dedication of the St. Landry Parish Excellence Fund from providing a vocational-technical high school program and curriculum to including the Louisiana Community and Technical College System as well as the school board in using money in the fund to construct and operate a Career and Technology Center in the parish. Authorizes appropriation of fund principle.
3. Changes the dedication of the Orleans Parish Excellence Fund from providing a vocational-technical high school program and curriculum to authorizing the Orleans Parish School Board and the Louisiana Community and Technical College System to use money in the fund to construct and operate an Allied Health and Nursing Program and campus in the parish.

4. Specifies that the 5% credited to a fund in each parish is taken from the proceeds derived from the licensed facility in that parish.

Senate Floor Amendments to reengrossed bill.

1. Includes the distribution of the state portion of taxable net slot machine proceeds to the Bossier Truancy Fund, the St. Landry Parish Excellence Fund, the Calcasieu Parish Excellence Fund, and the Orleans Parish Excellence Fund in the distributions that occur prior to distributions for expenditure pursuant to the powers of the La. Agricultural Finance Authority for boll weevil eradication and other agricultural programs.
2. Adds, after all other specified distributions of net taxable proceeds are fulfilled and prior to deposit of the remainder in the state general fund, a distribution, pursuant to annual appropriation, of \$50,000, to the Southern University Tourism and Marketing Program and \$50,000 for the Orleans Parish District Attorney's office.
3. Deletes the Orleans Parish School Board as an entity authorized to expend money from the Orleans Parish Excellence Fund.